

FISCAL NOTE

SB 331 - HB 1138

March 3, 2001

SUMMARY OF BILL: Raises from six to eight years of age or under of a child whose abuse or neglect would be punished as a Class D felony and a Class A felony if the conduct constitutes aggravated child abuse or neglect. Under current law, the abuse and neglect of a child over six years of age would be punished as a Class A misdemeanor and aggravated child abuse and neglect of a child over six years of age would be a Class B felony. The bill also provides that these punishments would apply regarding the abuse or neglect of a child with developmental disabilities based on mental retardation.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$219,300/Incarceration*
Decrease Local Govt. Expenditures - Not Significant

Assumes 11 additional Class D felony convictions each year and one additional Class A felony conviction each year. The increase in convictions is based upon information from the Department of Children's Services child abuse and neglect reports and the current annual convictions for these offenses. The decrease in local government expenditures results from the change of the offense from a Class A misdemeanor to a Class D felony.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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